

However, as confirmed by checking the PTO's image file wrapper for the above application, the copy of the assignment accompanying the 15 July 2003 Amendment is a copy of an assignment by which this application is "assigned" to Mosel Vitelic "Corporation", identified as a Taiwanese corporation with an address in Taiwan, rather than to Mosel Vitelic, "Inc." as specified in the preceding remarks in the July 2003 Amendment.

Mosel Vitelic, "Inc." is a Taiwanese corporation having a place of business at the Taiwanese address given for Mosel Vitelic "Corporation" in the assignment copy provided to the PTO as an enclosure to the July 2003 Amendment. Mosel Vitelic "Corporation" is a California corporation whose principal place of business is in California.

In further reviewing the file maintained by Applicants' Attorney for the above application, Applicants' Attorney noted (a) that the above application was initially "assigned" to Mosel Vitelic "Corporation" identified as a Taiwanese corporation with an address in Taiwan via an assignment dated 23 January 2002, (b) that this initial assignment was recorded at Reel 12540, Frame 0638, in the PTO, (c) that the assignee was intended to be Mosel Vitelic, "Inc.", (d) that the assignment was corrected by having this application assigned to Mosel Vitelic, "Inc." in an assignment dated 10 May 2002, and (e) that the corrected assignment was recorded at Reel 12926, Frame 0856, in the PTO. Hence, this application is indeed assigned to Mosel Vitelic, "Inc." as specified in the above-mentioned remarks in the July 2003 Amendment. However, those remarks should have specified that the assignment of this application to Mosel Vitelic, Inc., is recorded at Reel 12926, Frame 0856, in the PTO.

The conclusion reached in the above-mentioned remarks in the July 2003 Amendment, i.e., that Fortin, U.S. Patent 6,503,824, is disqualified insofar as sections e - g of 35 USC 102 are concerned from being used as prior art against any claim of the present application under 35 USC 103(c), remains correct..

In short, the above-mentioned remarks in the July 2003 Amendment should have stated that:

35 USC 103(c) specifies that material which qualifies as prior art only under one or more of sections e - g of 35 USC 102 shall not preclude patentability of a U.S. patent application when that material and the invention claimed in the application were commonly owned at the time of the invention. The Fortin patent is assigned to Mosel Vitelic, Inc., the same party to which the present application is assigned. See the enclosed copy of the assignment

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of the present application to Mosel Vitelic, Inc. The assignment of the Fortin patent to Mosel Vitelic, Inc., is recorded at Reel 12266, Frame 0586, in the PTO while the assignment of the present application to Mosel Vitelic, Inc., is recorded at Reel 12926, Frame 0856, in the PTO. Insofar as sections e - g of 35 USC 102 are concerned, Fortin is therefore disqualified under 35 USC 103(c) from being used as prior art against any claim of the present application.


Enclosed to complete the correction of the July 2003 Amendment is a copy of the 10 May 2002 assignment by which this application is assigned to Mosel Vitelic, "Inc."

Please telephone Attorney for Applicant(s) at 650-964-9767 if there are any questions.

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Respectfully submitted,



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